

IN CLERK'S OFFICE
U.S. DISTRICT COURT
★ SEP 06 2005 ★

P.M. _____
TIME A.M. _____

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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HARVEY LIFTON, as Chairman of the COMBINED
PENSION FUNDS ACCOUNT and its Participating
Funds,

Plaintiff,

-against-

PUBLIC ACCESS LIGHTING LLC, U.S. TRAFFIC
CORP., APOGEES ACQUISITION CORP., MYERS-
APOGEE LIGHTING PRODUCTS, and APOGEE
TRANSLITE, INC.,

Defendants.
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JUDGMENT
01-CV- 4130 (ARR)

An Order of Honorable Allyne R. Ross, United States District Judge, having been filed on March 22, 2005, adopting the Report and Recommendation of Magistrate Judge Kiyo A. Matsumoto, dated January 5, 2005, after a de novo review of the record; and directing the Clerk of Court to enter judgment granting plaintiff's motion for default judgment as well as awarding \$27,422.51 in unpaid contributions, \$11,864.73 in interest on those unpaid contributions, \$11,864.73 in liquidated damages, \$3,359.05 in attorneys' fees, and \$118.59 in costs and fees to be paid by defendant; it is

JUDGMENT
01-CV- 4130 (ARR)

ORDERED and ADJUDGED that the Report and Recommendation of Magistrate Judge Kiyo A. Matsumoto is adopted; that plaintiff's motion for default judgment is granted; and that judgment is hereby entered in favor of plaintiff, Harvey Lifton, as Chairman of the Combined Pension Funds Account and its Participating Funds, and against defendant, Public Access Lighting LLC, awarding \$27,422.51 in unpaid contributions, \$11,864.73 in interest on those unpaid contributions, \$11,864.73 in liquidated damages, \$3,359.05 in attorneys' fees, and \$118.59 in costs and fees to be paid by defendant.

Dated: Brooklyn, New York
September 06, 2005

ROBERT C. HEINEMANN
Clerk of Court